

IN UNITED STATES PATENT AND TRADE MARK OFFICE

Assistant Commissioner for Patent  
Washington, D.C. 20231

Atty. Dkt.: 1721-34

Date: August 14, 2001

Sir:

Attached for filing is the patent application of:

Inventor: NASSIF et al

Intended: DNA AND PROTEINS OR PEPTIDES SPECIFIC OF THE  
NEISSERIA MENINGITIDIS SPECIES BACTERIA, METHOD  
FOR OBTAINING THEM AND THEIR BIOLOGICAL  
APPLICATIONS

including attachments as noted below:

Newly executed Declaration, ☒ Copy of Declaration from prior application, ☐ Abstract  
pages of specification and claims (including 32 numbered claims), and  
sheets of accompanying drawing/s.

☒ Priority is hereby claimed under 35 U.S.C. § 119 based on the following foreign applications:

Application Number	Country	Day/Month/Year Filed
96 08768	France	12 07 1996
PCT/FR97/01295		11 07 1997

, respectively, the entire content of which is hereby incorporated by reference in this application..

☐ Certified copy(ies) of foreign application(s) is/are attached.

☒ Certified copy(ies) filed on April 22, 1999 in prior appln. no. 09/214,759 filed January 12, 1999

☐ Please amend the specification by inserting the following paragraph before the first line: --This application is a ☒  
continuation/☐ division/☐ continuation-in-part of Application No. 09/214,759, filed January 12, 1999, , the  
entire content of which is hereby incorporated by reference in this application.--

Petition filed in prior application to extend its life to insure co-pendency.

The prior application is assigned to 1) INSTITUT NATIONAL DE LA SANTE ET DE LA RECHERCHE MEDICALE  
(N.S.E.R.M.); (2) MAX-PLANCK-GESELLSCHAFT ZUR FÖRDERUNG DES WISSENSCHAFTEN E.V.; (3)  
SMITHKLINE BEECHAM

☒ It is hereby requested that the Examiner consider the art cited in the parent application by applicant and/or the  
Examiner for the reasons stated therein. A listing of that art is attached and return of an initialed copy of the same,  
pursuant to MPEP § 609 is requested.

☐ Applicant claims "small entity" status. ☐ "Small entity" statement attached.

☒ Please enter the attached and/or below preliminary amendment prior to calculation of filing fee:

Also attached: ☒ Information Disclosure Statement; ☐ Non-Publication Request; ☒ Nucleotide and/or  
Amino Acid Sequence Submission; ☐ Statement deleting Inventor(s) named in prior application; ☐ Other:  
Request

**FILING FEE IS BASED ON CLAIMS AS FILED LESS ANY HEREWITH CANCELED**

Basic Filing Fee		\$	0.00
Total effective claims	32 - 20 (at least 20) = 12	x \$ 18.00	\$ 0.00
Independent claims	1 - 3 (at least 3) = 0	x \$ 80.00	\$ 0.00
If any proper multiple dependent claims now added for first time, add \$270.00 (ignore improper)			\$ 0.00
		<b>SUBTOTAL</b>	\$ 0.00
If "small entity," then enter half (1/2) of subtotal and subtract		-\$	0.00
		<b>SECOND SUBTOTAL</b>	\$ 0.00
Assignment Recording Fee (\$40.00)		\$	0.00
		<b>TOTAL FEE ENCLOSED</b>	\$ 0.00

Any future submission requiring an extension of time is hereby stated to include a petition for such time extension.  
The Commissioner is hereby authorized to charge any deficiency in the fee(s) filed, or asserted to be filed, or which should have been  
filed herewith (or with any paper hereafter filed in this application by this firm) to our **Account No. 14-1140**. A duplicate copy of this  
sheet is attached.

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**NIXON & VANDERHYE P.C.**  
By Atty: B. J. Sadoff, Reg. No. 36,663

Signature: \_\_\_\_\_

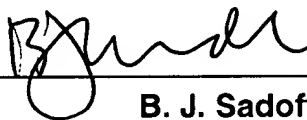
jc857 U.S. PTO  
09/928457  
08/14/01

**NASSIF t al**  
**Serial No. Unknown**  
Continuation of Serial No. 09/214,759

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

By: \_\_\_\_\_



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

**NASSIF et al**

Atty. Ref.: **1721-34**

Serial No. Unknown

Continuation of Serial No. 09/214,759

Group:

Filed: **August 14, 2001**

Examiner:

For: **DNA AND PROTEINS OR PEPTIDES SPECIFIC OF THE  
NEISSERIA MENINGITIDIS SPECIES BACTERIA,  
METHOD FOR OBTAINING THEM AND THEIR  
BIOLOGICAL APPLICATIONS**

\* \* \* \* \*

**August 14, 2001**

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

**REQUEST**

The attached paper copy of the Sequence Listing is the same as the paper and computer readable copies of the Sequence Listing filed in the parent Application No. 09/214,759 on December 10, 1999. The Office is requested to use the computer-readable copy of the Sequence Listing filed on December 10, 1999, in the parent Application No. 09/214,759, for the present application. The attached paper copy of the Sequence Listing is the same as the computer-readable copy of the Sequence Listing filed on December 10, 1999, in the parent Application No. 09/214,759. No new matter has been added.

0928457-081401